UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

WAR BABES, et al.,

Plaintiffs

v.

DON WILSON, et al.,

Defendants.

Civil Action No. 88-3633 (TPJ)

RECEIVED 11/19/90 NSL

STIPULATION OF SETTLEMENT AND COURT ORDER

WHEREAS Plaintiffs, War Babes et al., on December 22, 1988, filed a complaint against Don Wilson ("NARA") and Frank Carlucci ("DoD"), C.A. No. 88-3633, requesting injunctive relief against the defendants for violations of the Freedom of Information Act, 5 U.S.C. §552 et seq., Privacy Act, 5 U.S.C. §552a, et seq., and Administrative Procedure Act, 5 U.S.C. §701 et seq.;

Associated Press v. United States Department of Defense Doc. 31 Att. 1

WHEREAS, the parties have agreed to resolve and settle the claims contained in C.A. 88-3633;

NOW, THEREFORE, the parties hereby agree, subject to the approval of the Court, to the following Stipulation of Settlement and Court Order ("Stipulation and Order"):

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I. Parties

The parties to this action are as follows:

A. Plaintiff, War Babes, a British non-profit organization founded to assist overseas children of American servicemen from WWII;

B. Plaintiff, Shirley McGlade, a British citizen and child of an American WWII veteran;

C. Plaintiff, Rosemary Chapman, a British citizen and child of an American WWII veteran;

D. Plaintiff, Barbara Bradford, a British citizen and child of an American WWII veteran;

E. Defendant, Don Wilson, Archivist of the United States, National Archives and Records Administration; and

F. Defendant, Richard Cheney, Secretary, Department of Defense.

II. Applicability

The provisions of this Stipulation and Order shall be binding upon the parties and their officers, agents, servants, employees, successors and assigns.

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III. Definitions

A. For purposes of this Stipulation and Order the following definitions apply:

1. As used herein, "plaintiffs" means War Babes, Shirley McGlade, Rosemary Chapman, and Barbara Bradford, and "defendants" means Don W. Wilson, NARA, Richard Cheney, and DoD.

2. As used herein, "NPRC" means the National Personnel Records Center, a component of NARA.

3. As used herein, "request" means any written correspondence or inquiry received by the defendant agencies that seeks information from either of those agencies about individual veterans and their whereabouts.

4. As used herein, "service number" means the identification number assigned to individuals upon their entrance into the Army or the Air Force prior to July 1, 1969, or the Navy or Marine Corps prior to January 1, 1972. "Service number" does not mean social security account number.

5. As used herein, "FOIA" means the Freedom of Information Act, 5 U.S.C. 552, as amended.

6. As used herein, "Privacy Act" means the Privacy Act of 1974, 5 U.S.C. 552a, as amended.

7. As used herein, "DoD Directive 5400.11" means the Directive entitled "Personal Privacy and Rights of Individuals" and issued as part of the "Department of Defense Privacy Program."

8. As used herein, "record" or "records" includes all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, that: (1) were transferred to the NPRC either by the DoD or by its predecessor agencies, and over which the DoD continues to exercise legal custody; or (2) were created, received, or compiled by NPRC staff in the course of servicing DoD records, and are maintained in individual veterans' files, over which NARA exercises legal custody.

9. As used herein, "non-exempt information" means information in agency records that is not exempted

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from mandatory disclosure under one of the exemptions enumerated in the FOIA at 5 U.S.C. 552(b). For purposes of this Agreement, non-exempt information found in DoD records relating to veterans includes, but is not limited to: name; dates of birth and service; city/town and state of residence and date of address; service number; marital status; dependents (including name, sex, and age); rank/grade; salary; assignments and geographical location of assignments; source of commission; military and civilian educational level; promotion sequence number; decorations and awards; duty status; official photograph; records of court-martial trials (unless classified); place of induction and separation; and any other information relating to the veteran's official activities. For deceased veterans, non-exempt information also includes home address, place of birth, date and location of death, and place of burial.

10. As used herein, "the 1973 fire" means the July 12, 1973, fire at the NPRC which damaged or destroyed the following military personnel records in the NPRC's physical possession on that date:

a. Approximately 80% of the military personnel records for Army veterans who were discharged between November 1, 1912, and December 31, 1959, inclusive; and

b. Approximately 75% of the military personnel records for Air Force veterans with a surname falling between "Hubbard" and the end of the alphabet who were discharged between September 25, 1947, and December 31, 1963, inclusive.

11. As used herein, "auxiliary records" means records, other than military personnel records, burned records, or reconstructed records, the existence and location of which are listed on the NPRC's computer registry system. Unlike military personnel records and burned records, which were created to document the service history of particular individuals, "auxiliary records" were created by the DoD to document the activities of organizational components within that agency. The term includes numerous collections of information used in reconstructing military personnel records; examples of "auxiliary records" include copies of final pay vouchers and final payroll lists created by the post where a veteran's discharge was processed.

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12. As used herein, "non-registry auxiliary records" means records relating to the activities of DoD organizational components which were transferred to the NPRC but not listed on the computer registry system. The term includes morning reports, sick reports, Army personnel rosters (except for years 1944-46), daily reports of change for individual units, and unit muster rolls and reports. Because of the manner in which non-registry auxiliary records were compiled, access to information about individual veterans is gained through the use of the veteran's name, a complete unit designation, and an approximate time period of interest to the requester (e.g., the months preceding the birth of a War Babe requester).

13. As used herein, "reconstructed records" means files that have been created by the NPRC since the 1973 fire using burned and/or auxiliary records. Each reconstructed record is a partial substitute for a specific Army or Air Force personnel record damaged or apparently destroyed by the 1973 fire. Reconstructed records may contain some of the same information found in Army or Air Force personnel records, although in a different record format. DoD exercises legal custody over reconstructed records.

14. As used herein, "burned records" means Army or Air Force personnel records that were damaged but not completely destroyed by the 1973 fire. The damage suffered by individual records may be fire or water damage, or both. The degree of damage suffered by burned records varies from record to record; the spectrum of burned records runs from virtually intact military personnel records to a single, partially intact page of information. A burned record may be used in creating a reconstructed record. If this has been done prior to a request covered by this Stipulation and Order, the computer registry system may identify, in response to a search for information on a particular veteran, both a burned record and a reconstructed record; sometimes, however, the listing for a burned record is removed once a reconstructed record is created using the burned record.

15. As used herein, "approximate dates of service" means any date or period of time that is identified by a requester as falling within a subject individual's service in the Armed Forces. The term includes, but is not limited to, an individual's actual dates of service. The term also includes words or phrases that describe an historical event or period, e.g., "World

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War II" or "WWII"; "the Korean Conflict"; "the Vietnam War."

16. As used herein, "Response Forms" means the form letters utilized by the NPRC in responding to requests. These Forms currently include, but are not limited to, those entitled "Request for More Information"; "Notification of Receipt of FOIA Request"; "Release of Information"; "Reply to Request for Rosters/Addresses"; "Reply to Request for Information; and "Informal Information Reply." Pursuant to this Stipulation and Order, these Response Forms will be revised and certain Forms may be eliminated or combined. Copies of each of these Response Forms are attached hereto as Exhibits A-F.

17. As used herein, "computer registry system" means the computerized indexing system used to locate the following kinds of records maintained by the NPRC: (1) military personnel records other than those for Navy enlisted personnel and Marine Corps officers and enlisted personnel who were discharged prior to January 1, 1964, and Navy officers who were discharged prior to January 1, 1968; (2) burned records; (3) reconstructed records; and (4) auxiliary records. Access to the computer registry system is gained through the use of a name and/or service or social security account number, and a branch of service -- Army, Air Force, Navy, or Marine Corps. The computer registry system contains the following kinds of information only: (1) veterans' names, including middle names or initials if used by the relevant branch of service; (2) service numbers and, in records compiled since 1969 (Army and Air Force) or 1972 (Navy and Marine Corps), social security account numbers; (3) physical location of records within the NPRC; and (4) type of record available (military personnel record, burned record, reconstructed record, or auxiliary record).

18. As used herein, "non-registry records" means the military personnel records for Marine Corps personnel of all ranks and Navy officers who were discharged before 1964 and 1968, respectively, which are maintained by the NPRC in service number order, and which are not indexed on the computer registry system. Service numbers are needed to gain access to these files, since the NPRC possesses no alphabetical listing of these veterans.

"Non-registry records" also includes the military personnel records for Navy enlisted personnel who were discharged before 1964, which are maintained by the NPRC in alphabetical order, and which are also not indexed on the

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computer registry system. As the NPRC possesses a non-registry list of service numbers of these personnel, access to these records may be gained using either the name and/or the service number, branch of service, and approximate dates of service.

IV. Search Procedures

The NPRC will respond to requests by members of the War Babes and other similarly situated individuals for information about individual veterans as follows:

A. Requests with Service or Social Security Numbers

1. When the NPRC receives a request which contains only a service or social security number, or a service/social security number, name, branch of service and/or approximate dates of service, it will use the information provided to search the computer registry system for responsive records. If such records are listed on the computer registry system, the NPRC will physically locate and review the records, and disclose to the requester all non-exempt information contained therein.

2. If a search of the computer registry system identifies responsive burned and/or auxiliary records, and records reconstruction efforts have not been undertaken previously, the NPRC will create a reconstructed record and will disclose to the requester all non-exempt information contained therein.

3. If a record searched by means of a service or social security number contains a file of a veteran with a name almost identical to the name sought, (e.g., one or two letters are different) the NPRC will treat the record as a "responsive record" and will release the non-exempt information contained therein.

4. If responsive records are listed on the computer registry system as being maintained at the NPRC, but a physical search reveals that the records, or a portion thereof, are in the possession of another agency, the NPRC will, in addition to

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disclosing to the requester all non-exempt information in its possession, forward a copy of the request to the agency or agencies possessing the remaining records, if this information is known to the NPRC, and inform the requester of the action taken.

5. a. If a search of the computer registry system by service/social security number identifies no potentially responsive records, the NPRC will conduct another computer registry search using only the name and branch of service, if provided. If this search identifies any records with a service/social security number almost identical to the one provided by the requester (e.g., two digits transposed), the NPRC will disclose to the requester all non-exempt information contained therein.

b. If the second computer registry search identifies records for veterans with the same name as the subject of the request, but none of these records possesses a service/social security number almost identical to the one provided by the requester, the procedures set forth in section B below for requests lacking service/social security numbers will apply.

B. Requests Lacking Service or Social Security Numbers

1. a. When the NPRC receives a request which contains only a name, and branch of service or approximate dates of service, it will use the information provided to search the computer registry system for responsive records. If this search identifies records for five (5) or fewer such veterans, the NPRC will physically locate and review the records identified (referred to throughout the remainder of section B as "potentially responsive records") for each veteran as set forth below in subparagraphs B.1.b. and B.1.c.

b. The NPRC will attempt to identify from among potentially responsive records the records of the specific veteran of interest to the requester, based on all of the information

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provided by the requester, including e.g., approximate dates of service and the veteran's unit. The NPRC will also search potentially responsive non-registry auxiliary records, provided that a unit designation (e.g., Headquarters Company, 1st Battalion, 86th Infantry Division) and approximate dates of interest are included in or easily deduced from the request.

c. If, as a result of the search described above in subparagraph B.1.b., the NPRC is able to identify with certainty the record or records relating to the specific veteran of interest, it will disclose all non-exempt information contained in those records alone. If, however, the NPRC is unable to make such a determination with certainty, it will disclose all non-exempt information contained in all potentially responsive records.

2. If the computer registry search described above in subparagraph B.1.a., identifies either no records or records of more than five (5) veterans with the same name as the subject of the request, it will physically search potentially responsive non-registry auxiliary records in those cases where a unit and approximate dates of interest are provided or easily deduced from the request. If responsive records are located as a result of these searches, the NPRC will disclose all non-exempt information contained in those records. The NPRC will also use any applicable service/social security number listed in the non-registry records to conduct a computer registry search, and will then disclose all non-exempt information contained in records so identified.

3. If a requester provides multiple names or spellings and/or branches of service in a single request, the NPRC will treat each combination of name and branch of service as if it were a separate request for purposes of conducting the searches described in this section.

4. If, in the course of conducting the searches described in this section, the NPRC discovers that responsive records, or a portion thereof, are in the possession of another agency, the NPRC

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will, in addition to disclosing all non-exempt information in its possession, forward a copy of the request to the agency or agencies possessing the remainder of the record in question, if this information is known to the NPRC, and inform the requester of the action taken.

5. If a request lacks a complete name, i.e., at least first and last name, and also lacks a service or social security number, the NPRC will conduct no searches unless and until one or the other piece of information is provided. In such cases, the NPRC will inform requesters that if requests are re-submitted with the necessary information the NPRC will conduct a search.

6. When the NPRC locates responsive records which are subject to the legal custody of NARA, NPRC will release to the requester the non-exempt information listed in ¶IV.9. above, and will then forward to the Assistant Archivist for Management and Administration, National Archives and Records Administration, Washington, D.C., 20408, the NARA records for a final determination to be made with respect to the disclosure of any other information contained therein. In making this direct response, NARA will disclose to the requester all reasonably segregable, non-exempt information contained in the forwarded records; describe in accordance with the FOIA any information to which access has been denied; describe the statutory basis, including applicable FOIA exemption, for denying access; and, in those instances where access is denied, will provide appeal rights.

C. Navy and Marine Corps Records

1. When the NPRC receives a request for the records of Marine Corps enlisted personnel or officers, of Navy enlisted personnel who may have been discharged before 1964, or of Navy officers who may have been discharged before 1968, the NPRC will first conduct a physical search of non-registry records.

2. In the case of Marine Corps personnel or officers or Navy officers, such non-registry search can and will be conducted only if a service or social security number is provided in the request.

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3. In the case of Navy enlisted personnel, the search will be conducted by name, through the alphabetically arranged files of Navy personnel, or by service number, using the NPRC's non-registry list of service numbers for such personnel.

4. If the physical non-registry search fails to locate responsive records, the NPRC will then conduct a search on the computer registry system, following the procedures set forth in Sections A and B above, for requests with and without service/social security numbers, respectively.

V. Response Forms

A. The NPRC agrees to revise the forms it uses when responding to requests (including the possible elimination and/or combination of forms) as follows:

1. Response forms will not cite the Privacy Act or DoD Directive 5400.11 as a basis for withholding information in response to third-party requests for information about individual veterans.

2. The reference in Response Forms concerning the 1973 fire will be revised to read: "We have searched for the military personnel record of the individual named in your request and have found that we possess no such record. On July 12, 1973, a fire occurred at our facility which destroyed approximately 80% of the military personnel records for Army veterans who were discharged between 1912 and 1960, as well as approximately 75% of the military personnel records for Air Force veterans who were discharged between 1947 and 1964 and who have a surname falling between "Hubbard" and the end of the alphabet. If the record of interest was in our possession on July 12, 1973, it would have been stored in the part of our building that sustained the most damage from this fire. We cannot say with certainty that the record was destroyed in the fire because there is no item-by-item inventory of the military personnel records in our possession on that date. We can say, however, that our search for the military

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personnel record of the individual named in your request uncovered no such record.

Sometimes, we are able to provide information from alternate record sources on an individual whose military personnel record we believe was destroyed in the 1973 fire." At this point, the form will state that a search of alternate records sources (i.e., non-registry auxiliary records) either located or failed to locate records responsive to the request.

3. Response Forms will also contain the following possible responses, of which one or more, as applicable, will be checked:

a. That no search could be undertaken because the request lacked a necessary piece of information:

(i) either name or service/social security number;

or

(ii) in the case of members of the Marine Corps who were discharged prior to 1964 or Navy officers who were discharged prior to 1968, a service or social security number.

This response will also state that if the requester re-submits the request with the missing information a search will be conducted.

b. That a search was conducted and no responsive records located. If the veteran of interest was an Army or Air Force veteran who served during the period of time affected by the 1973 fire, the language set forth above at paragraph V.A.2. will be included. If the records sought are of a type not maintained by the NPRC, the requester will be so informed.

c. That a search was made, responsive records located, and information not exempt from disclosure under the FOIA is being released.

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d. (i) That pursuant to an Agreed Court Order, DoD permits the disclosure of the veteran's name; dates of birth and service; city/town and state of residence and date of address; service number; marital status; dependents (including name, sex, and age); rank/grade; salary; assignments and geographical location of assignments; source of commission; military and civilian educational level; promotion sequence number; decorations and awards; duty status; official photograph; records of court-martial trials (unless classified); place of induction and separation; and any other information in the records which relates to the veteran's official activities.

(ii) That for deceased veterans, DoD also permits, pursuant to an Agreed Court Order, the disclosure of home addresses; place of birth; date and location of death; and place of burial.

e. That particular information [to be specified in the response] contained in the records is being withheld pursuant to exemption 6 of the FOIA, 5 U.S.C. 552(b)(6), which covers personal information about individuals, because the DoD, as legal custodian of the records, has determined that disclosure of this information would constitute a clearly unwarranted invasion of personal privacy. If the DoD has instructed the NPRC to withhold access to information under another FOIA exemption, that FOIA exemption will be cited and described.

f. That the NPRC is merely the physical custodian of the records and lacks legal authority to deny access to the information being withheld from DoD records; that the NPRC has forwarded the request to the office in DoD possessing legal denial authority for further processing and a formal response; that that authority is [name, title, office, address]; and that if the DoD denies the request, a procedure for appeal will be provided.

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4. When the responsive records located by the NPRC include NARA administrative records that are maintained with the records of individual veterans, e.g., correspondence between the NPRC and the veteran, the requester will be informed that routinely releasable ("non-exempt") information is being released to the requester, but that other information contained in the records is being forwarded to the Assistant Archivist for Management and Administration, NARA, Washington, D.C., 20408, for direct response. The requester will be informed that he or she will receive a further grant or denial of the request with respect to the remaining information from NARA in Washington, D.C.

5. Response Forms will also state that requesters are entitled to have a letter forwarded by certified mail (restricted delivery, return receipt requested) to the individual they are seeking at the last known address contained in the NPRC's records. This provision will instruct requesters that if they choose to pursue this procedure they should send a letter in a sealed envelope with the name of the addressee on it to the NPRC for forwarding. It will also inform requesters that they will be notified when the letter is sent, and will be informed of any response received either from the post office or the addressee, including if the letter is returned as undeliverable.

B. In general, in responding either orally or in writing to requests for information about individual veterans pursuant to this Agreement, NARA, the NPRC and DoD will not cite the Privacy Act or DoD Directive 5400.11 as obstacles to the release of information, but, to the extent practicable, will inform requesters of the information to which they are entitled and the procedures for obtaining such information as set forth in this Stipulation and Order.

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VI. Forwarding Procedures

A. The NPRC will implement the following procedure for forwarding letters from requesters to third parties:

1. Upon receipt from a requester of a letter for forwarding to a third party, the NPRC will, within one week, send the letter by certified mail (restricted delivery, return receipt requested) to the addressee at the last known address contained in NPRC records.

2. The NPRC will not open or read letters sent to the NPRC for forwarding to a third party.

3. The NPRC will notify the requester of the date of the forwarding at the time forwarding is initiated.

4. The NPRC will also notify the requester of any response received to the forwarded letter from either the addressee or the post office. When a letter is returned as undeliverable, the NPRC will send the requester a copy of the returned envelope after deletion of the address. Where the addressee is deceased, the NPRC will not delete the address.

5. If a forwarded letter is returned as not deliverable, the NPRC will mark it "Personal: Do Not Open," and retain it in its administrative records of correspondence kept with veterans' personnel files subject to NARA jurisdiction. Such letter will be released by the NPRC only upon request, to the author of the letter, or to the veteran, or after the veteran's death, to his estate or family members.

VII. Implementation

A. Defendant NARA will take all necessary steps to ensure that NPRC employees who process requests are fully apprised of the requirements of the FOIA and of this Stipulation and Order. Defendant NARA will also take all

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necessary steps to ensure that procedures giving effect to the requirements of this Stipulation and Order are promulgated and implemented in a timely manner. Defendant NARA agrees to immediately initiate the search procedures set forth above, and to commence revision of Form Responses. Defendant NARA agrees to complete revisions of all relevant Form Responses and agency Directives within six months of the date this Stipulation and Order is executed. Defendant NARA agrees to submit a statement to plaintiffs' counsel on that date describing the level of implementation of this Stipulation and Order then achieved.

B. Defendant NARA agrees to submit drafts of Forms revised in accordance with this Stipulation and Order to counsel for plaintiffs, Joan Meier, for her review prior to finalizing the revised versions. Defendant NARA agrees to give plaintiffs' counsel's comments good faith consideration before finalizing the revisions.

C. Starting on the effective date of this Stipulation and Order NARA will designate an NPRC employee to coordinate the processing of all requests filed by members of War Babes, and to respond to inquiries or complaints from War Babes members or officials relating to their requests. To the extent possible, this employee will also handle similar requests, inquiries, and complaints from similarly situated individuals, regardless of whether the requester identifies himself or herself as a member of War Babes. The identity and title of this employee will be communicated to plaintiff Shirley McGlade either directly or through her attorney, Joan Meier. This employee will have particular familiarity with the requirements of this Stipulation and Order and will be responsible for handling inquiries from War Babes or other similarly situated requesters or their representatives concerning problems in the processing of requests.

D. DoD agrees that all requests or appeals covered by this Stipulation and Order will be handled in accordance with the terms hereof, and in particular, that in response to such requests, DoD will release city/town and state, date of address, and full addresses where the addressee is deceased, in addition to all other non-exempt information enumerated in ¶ IV.9. above. Defendant DoD agrees to take all necessary steps to ensure that the disclosure policies embodied in this Stipulation and Order will be fully implemented by DoD personnel at every location where requests for records are processed. DoD will transmit a copy of this Stipulation and Order to all of the appropriate offices and officers who may have occasion to process requests for records within the agency, and will instruct such offices and officers that compliance herewith is required.

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E. In addition to the remedy provided in paragraph C. above, at any time after the execution of this Stipulation and Order plaintiffs' counsel or plaintiffs may contact defendants through their counsel to inform them of any ongoing problems in the implementation of the Stipulation and Order which plaintiffs believe to be serious in nature. Following notification, defendants will in good faith consult with plaintiffs and/or their counsel to ensure that they are is in compliance with the terms and conditions of this Stipulation and Order, and to attempt to resolve the matters raised to the parties' satisfaction.

F. Within three months of the effective date of this Stipulation and Order, NARA agrees to provide plaintiffs' counsel with a list of Federal agencies and their components which maintain records or other information relating to veterans or veterans benefits. This list will include addresses, contact officials, and telephone numbers (where known). Plaintiffs understand and agree that this information is not being provided pursuant to a specific obligation under the FOIA.

VIII. General Provisions

A. This Stipulation and Order will become effective upon the signatures of the attorney for plaintiffs, the attorney for NARA and the DoD, and the Court. The

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individual who signs this Stipulation and Order on defendants' behalf is authorized to bind the defendant agencies.

B. The Court will retain jurisdiction over this case for one year from the date of this Stipulation and Order; however, Defendants agree that their obligations are continuing and do not cease at the expiration of that year.

C. Failure to comply with the requirements of this Stipulation and Order will constitute a violation of the Stipulation and Order.

D. The Parties agree that the decision of the District Court in C.A. No. 88-3633 will be vacated pursuant to United States v. Munsingwear, 340 U.S. 36, 40 (1950).

E. Nothing in this Stipulation and Order shall be construed as evidence of liability or fault by any of the defendants or their officers or agents, nor is it an admission that any of the defendants or their officers or agents have violated the Freedom of Information Act or the Privacy Act. This Stipulation and Order may not be offered, introduced, or construed as evidence of liability for any subsequent litigation, with the exception of litigation to enforce or modify this Stipulation and Order or claims for attorneys' fees and/or costs.

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F. This Stipulation and Order constitutes a final, integrated, complete and absolute compromise and settlement of the claims set forth in C.A. 88-3633.

G. Plaintiffs hereby state that they entered into this Stipulation and Order completely voluntarily, without coercion or duress, and after consultation with their attorney, Joan Meier.

H. Attorneys' fees and costs will be determined separately by agreement of the parties, and a stipulation of such agreement will be submitted to the Court. If the parties cannot reach agreement on fees and costs within a reasonable time, that issue will be determined by the Court upon petition by plaintiffs' counsel.

I. Should NARA or DoD subsequently be found by the Court to have violated the terms or requirements of this Stipulation and Order, plaintiffs reserve the right to seek reimbursement of those costs (including reasonable attorneys' fees and costs) incurred in enforcing this Stipulation and Order.

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THE UNDERSIGNED REPRESENTATIVES FOR EACH PARTY ARE FULLY AUTHORIZED BY THE PARTY WHOM THEY REPRESENT TO ENTER INTO THE TERMS AND CONDITIONS OF THIS STIPULATION AND ORDER AND TO LEGALLY BIND THEM TO IT.

FOR DEFENDANT
DON WILSON, ARCHIVIST
OF THE UNITED STATES,
NATIONAL ARCHIVES AND
RECORDS ADMINISTRATION

Jay B. Stephens, U.S. Attorney

John B. Bates, Asst. U.S. Attorney

R. Craig Lawrence, Asst. U.S. Attorney 11/15/90

U.S. Attorneys Office
555 4th St., N.W.
Connecticut Avenue, N.W.
(202) 514-7159

FOR PLAINTIFFS
WAR BABES,
SHIRLEY MCGLADE,
ROSEMARY CHAPMAN, and
BARBARA BRADFORD

Joan S. Meier (11/15)
Kenneth Berlin

WINTHROP, STIMSON, PUTNAM
& ROBERTS
1133 Connecticut Avenue
Suite 1200
Washington, D.C. 20036
(202) 775-9800

FOR DEFENDANT
RICHARD CHENEY,
SECRETARY OF DEFENSE,
U.S. DEPARTMENT OF DEFENSE

Jay B. Stephens, U.S. Attorney

John B. Bates, Asst. U.S. Attorney

R. Craig Lawrence, Asst. U.S. Attorney 11/15/90

U.S. Attorneys Office
555 4th St., N.W.
Washington, D.C. 20001
(202) 514-7159

APPROVED AND SO ORDERED this ___ day of _______, 1990.

U.S. DISTRICT JUDGE

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